

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

November 15, 2000

DIVISION ONE

Court convened at 9:00 A.M.

Present: Spencer, P.J., Ortega, J., Vogel (Miriam A.), J., Mallano, J. and C. Hon, Deputy Clerk.

Each of the following:

B125032 Shell v. Shell
B139721 D.C.F.S. v. Arturo V.

Argument waived, cause submitted.

B128404 Arman
 v.
 Arman

Merits:
Argued by Kim H. Pearman for appellant and no appearance for respondent.
Cause submitted.

B118064 Haase et al.
 v.
 Ellenberg Capital Corporation et al.

Merits:
Argued by Robert Gerstein for appellants and by David Kupetz for respondents Arnold L. Kupetz Winding Up Agents. Cause submitted.

DIVISION ONE (Continued)

B137380 Hood
 v.
 Sears Roebuck & Company

Merits:
Argued by Marcus M. Hood, appellant in propria persona and by Marianne Fratianne for respondent. Cause submitted.

B137203 Donley
 v.
 Long Beach Police Department et al.

Merits:
Argued by Michael Leo Donley, appellant in propria persona and by Belinda R. Mayes for respondents. Cause submitted.

B134895 CD Investment Company et al.
 v.
 California Insurance Guarantee Association

Merits:
Argued by Stephan A. Mills for appellants and by Frederick G. Hall for respondent. Cause submitted.

B137347 White
 v.
 City Of Los Angeles et al.

Merits:
Argued by J. Luis Garcia for appellant and by Dennis M. Alexander for respondent Grant Parking Inc. Cause submitted.

Court recessed at 10:30 A.M.

DIVISION ONE (Continued)

Court reconvened at 10:50 A.M.

Present: Ortega, Acting P.J., Vogel (Miriam A.), J., Mallano, J. and C. Hon, Deputy Clerk.

B138069 Stauffer
v.
Stauffer

Merits:

Argued by Ronald M. Supancic for appellant and by Nancy K. Ruffolo, deputy district attorney, for respondent. Cause submitted.

Court adjourned.

B137312 People (Not for Publication)
v.
Sweeney

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Ortega, J.

B133219 People (Not for Publication)
v.
Tullio

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Ortega, J.

DIVISION ONE (Continued)

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The judgment is affirmed. Susan is awarded her costs of appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Ortega, J.

B143082 Laura L. (Not for Publication)
v.
Superior Court, Los Angeles County
(Los Angeles County Department of Children and Family Services, r.p.i.)

Petition denied.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.
Mallano, J.

B139721 Los Angeles County, D.C.F.S. (Not for Publication)
B139722 v.
Arturo V.

The orders are affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Mallano, J.

DIVISION ONE (Continued)

B138691 People (Not for Publication)
v.
White

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Mallano, J.

B144103 Winstar Wireless, Inc. (Not for Publication)
v.
Superior Court, Los Angeles County
(Nick Moreno, et al., r.p.i.)

The petition is granted. A writ of mandate shall issue commanding the trial court to (1) vacate its order of August 22, 2000, insofar as it grants Moreno's motion to disqualify Morgan, Lewis; (2) enter a new order denying Moreno's motion vis-à-vis Morgan, Lewis; (3) take Morgan, Lewis's pending motion for reconsideration off-calendar as moot; (4) and set a new trial date. Our temporary stay order is dissolved. WinStar is awarded its costs of these writ proceedings.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Mallano, J.

DIVISION ONE (Continued)

B144553 Brunston (Not for Publication)

v.

Superior Court, Los Angeles County
(B.G.R. Enterprises, Inc., r.p.i.)

The Court:

THEREFORE, let a peremptory writ issue, commanding respondent superior court to vacate its order setting the matter for a court trial in Los Angeles Superior Court case No. BC202574, entitled Dwayne Brunston v. B.G.R. Enterprises, et al., and enter a new and different order, setting the matter for jury trial. The temporary stay order, staying trial, is hereby vacated. The parties shall bear their own costs.

Ortega, Acting P.J., Vogel (Miriam A.), J., Mallano, J.

DIVISION TWO

B130840 Boussaid (Not for Publication)

v.

Lienghot et al.

The trial court's order denying appellants' motion to set aside the default judgment is affirmed. Appellants are to bear costs on appeal.

Cooper, J.

We concur: Boren, P.J.
 Nott, J.

B126358 Tabah (Not for Publication)

v.

Flannelly

The orders are affirmed.

Cooper, J.

We concur: Boren, P.J.
 Nott, J.

DIVISION TWO (Continued)

B136950 Winer (Not for Publication)
v.
Morrisey

The judgment is affirmed.

Nott, J.

We concur: Boren, P.J.
 Todd, J.

B133990 People (Not for Publication)
v.
Isaac

The judgment is modified to strike the \$8,500 in penalty assessments and, in all other respects, the judgment is affirmed.

Nott, J.

We concur: Boren, P.J.
 Todd, J.

DIVISION FOUR

B133214 People (Not for Publication)
v.
Angel Mejia

The judgment is modified to reflect that the enhancements imposed pursuant to 12022.5 and 12022.7 are stricken. The trial court is ordered to correct the abstract of judgment to reflect a prison term of life plus 25 years, a parole revocation fine of \$1000 pursuant to section 1202.45 and a restitution fine of \$1000 pursuant to section 1202.4. In all other respects, the judgment is affirmed.

Hastings, J.

We concur: Epstein, Acting P.J.
Curry, J.

DIVISION FOUR (Continued)

B137917 People (Not for Publication)
v.
Kevin D. Burton

The judgment is affirmed.

Hastings, J.

We concur: Epstein, Acting P.J.
Curry, J.

B132891 People (Not for Publication)
v.
Marvin I. Zarceno

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Hastings, J.

B141578 Josephine Martinez (Certified for Publication)
v.
Workers Compensation Appeals Board

The decision of the WCAB is annulled and the matter is remanded for further proceedings consistent with this opinion.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Hastings, J.

November 15, 2000-Continued

DIVISION FOUR (Continued)

B141001 People (Not for Publication)
v.
Faraj Yeretsian

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Curry, J.

B140481 People (Not for Publication)
v.
Steven Leatherwood

The judgment is affirmed.

Epstein, Acting P.J.

We concur: Hastings, J.
Curry, J.

DIVISION FIVE

B137164 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Susan M.
In re Sophia A.

The judgment is reversed.

Armstrong, J.

I concur: Godoy Perez, J.
I dissent: Turner, P.J. (Opinion)

DIVISION SIX

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The judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

B136414 Ervin (Not for Publication)
v.
Northrop Grumman Corporation

The judgment is affirmed. Northrop is awarded costs on appeal.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.